

REMARKS

In response to the Office Action dated 16 June 2003, please amend the application as set out. Reconsideration and reevaluation is respectfully requested.

The Examiner rejected the claims 21 through 28 and 34 through 51 under § 103(a) as
5 being unpatentable over Owen ('321) in view of Hart ('873). The '873 Patent to Hart discloses slips 15 that engage a surrounding casing. The slips 15 anchor a bridging plug in a wellbore by biting into the surface of the casing. The '873 Patent teaches that the slips can be hardened to enhance the ability of the teeth of the slip to penetrate into the casing surface.

The '321 Patent to Owen discloses a liner and reinforcing swage. The '321 Patent
10 teaches an expandable annular body portion 31. When expanded, the annular body portion 31 has frictional engagement with a surrounding casing that anchors the liner in the casing. The '321 Patent teaches that the annular body portion 31 is made of "soft steel that is compatible with downhole tubular goods and thus forms a metal seal. Further, the '321 Patent refers to the '091 Patent for that patent's teaching of suitable materials for liners. The '091 Patent teaches
15 that the liner is formed of "any material having the requisite malleability and modulus of elasticity in compression after expansion against the conduit." The '321 Patent emphasizes the soft malleable character of the disclosed liner because it teaches the use of a frictional engagement to anchor the liner in the casing.

The teachings of the '321 Patent and the '873 Patent are clearly incompatible, if not
20 contrary. Each patent teaches a different mechanism for anchoring: friction vs. biting action. That is, the '321 Patent teaches that the liner -- not the casing -- should deform. The '873 Patent teaches precisely the opposite. Each patent further teaches different methods for improving the anchoring mechanism: e.g., optimal selection of material malleability vs. hardening of teeth. Thus, one skilled in the art would immediately recognize that the '873 and
25 '321 Patents point in different technical directions. Accordingly, one skilled in the art would have

no motivation to combine these two references.

Furthermore, Applicant has specifically stated in the specification that the claimed sealing elements are not analogous to prior art slips shown in the '873 Patent:

Prior art slips set into a tubular member tend to cause a stress concentration at the point of engagement with the tubular member. This point of stress concentration can cause problems including causing a weak point in the tubular member. Accordingly, another feature of the present invention is that the individual rows of sealing elements that are embedded into the tubular member produce a slight circumferential indentation profile in the production tubing wall that creates a substantially lower stress concentration in the production tubing as opposed to the sharp indentations of a prior art slip for anchoring strength. (Summary of the Invention) (Emphasis Added). Additionally, the slips of Hart are segmented and not continuous as the present invention.

The present application itself makes clear that the drawbacks of the '873 Patent are among the aspects of the prior art that are specifically addressed by the claimed sealing members. Accordingly, for this additional reason, Applicant respectfully submits that the '873 Patent does not disclose teachings that can be combined with the other prior art of record.

Finally, please also note that a Petition and Fee for a three-month extension and an Information Disclosure Statement is being filed simultaneously with this Amendment. If it would aid in the disposition of this matter, the Examiner is kindly asked to contact the undersigned.

Respectfully Submitted,

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Date

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